

Amendment Under 37 CFR 1.116

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Serial No.: 09/640,952

Confirmation No.: 3252

Filed: 17 August 2000

For: EPHA2 AS A DIAGNOSTIC TARGET FOR METASTATIC CANCER

Remarks

Claims 9, 44, and 67 have been amended. No claims have been canceled or added. Therefore, claims 1, 3-13, 21, 23, 24, 33, 36, 37, 41-47, 49-56, 59-68, 72, 73, 75-81, and 90-101 are pending. Reconsideration and withdrawal of the rejections are respectfully requested.

Claims 9, 10, 44, and 67 were rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for a method of detecting the presence of metastatic disease in a cell population harvested from a body fluid which is blood, urine or spinal fluid, allegedly does not reasonably provide enablement for a method of detecting the presence of metastatic disease in a cell population harvested from a body fluid which is plasma or saliva.

This rejection is respectfully traversed. However, in order to advance prosecution of the above-identified patent application, claims 9, 44 and 67 have been amended to delete recitation of "plasma" and "saliva." Claim 10 depends directly from claim 9.

Reconsideration and withdrawal of the rejection of claims 9, 10, 44 and 67 under 35 U.S.C. §112, first paragraph, is thus respectfully requested.

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For: EPHA2 AS A DIAGNOSTIC TARGET FOR METASTATIC CANCER**Summary**

It is respectfully submitted that the pending claims 1, 3-13, 21, 23, 24, 33, 36, 37, 41-47, 49-56, 59-68, 72, 73, 75-81, and 90-101 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
Purdue Research Foundation

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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9 day of October, 2006, at 9:15am (Central Time).

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